

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Spring Dale Post Office	
Spring Dale, WV, 25986	

Document Number: A2012-68

**REPLY IN REGARD TO UNITED STATES POSTAL SERVICE RESPONSE
CONCERNING PUBLIC REPRESENTATIVE COMMENTS**

(February 17, 2012)

Respectfully submitted,

Paul McClung
P.O. Box 75
Spring Dale, WV 25986
(304) 484-7653
deedplot@ggmap.com

INTRODUCTION

On February 1, 2012, Manon A. Boudreault, the Public Representative (PR) in regard to closure of the Spring Dale, WV, Post Office, filed her “**Public Representative Reply Comments**” with the Postal Regulatory Commission.

On February 13, 2012, the USPS filed a “**United States Postal Service Response to Public Representative’s Reply Comments.**” The intent of that reply was to discredit the PR’s comments in regard to cost calculations and community/service issues.

I, Paul McClung, petitioner, am concerned that, whereas the Public Representative has indicated to me that no response is warranted by her in regard to issues alleged by USPS, there is an incorrect implication of our acceptance in regard to the USPS rebuttal.

I respectfully request the Commissioners’ indulgence in my brief reply relative to the USPS rebuttal as follows:

I. Response to USPS in regard to **Cost Calculation**:

(A) **Nature of Alternative Services:** In the course of responding to the PR relative to the HCR route, the USPS has, in any case, admitted yet another error in the Administrative Record (AR) that is of significance. The USPS admits the error on page 2 of their rebuttal, but fails to mention the correction was made only after the AR was submitted to the PRC. (The public was unaware.)

(B) **Cost of Alternative Services:** Again, the USPS admits the fact that they omitted 48 boxes (more than 50%) in their count as contained in the AR. They attempt to sidestep this issue by saying, “*the PR assumes, without pointing to supporting evidence, that all customers will necessarily migrate to replacement service via carrier services.*”

Actually, the missing 48 boxes omission has been pointed out (for example, see page 14 of the Initial Brief of Petitioner Paul McClung). It has also been explained that we, the customers, are very well aware of what other customers plan to do in this small community. Additionally, this is evidence the Postal Service has no concern as to the acceptance and success of a delivery route.

The USPS attempts to correct its admitted error by doing a recalculation which, in itself, has dubious accuracy because the source is proven as untrustworthy. Their calculation, even if taken at face value, is significant in our defense. This readjustment coupled with new leasing and a change in EAS rating would be very significant, and may result in little or no deficit. (The calculations previously submitted by petitioner Gary Walker is NOT based on 2003 wage rate data.)

(C) **Classification of Postmaster:** The statement made by USPS in regard to postmaster classification is an arbitrary and capricious response of, *“The Postal Service is not, however, obligated to reclassify Post Office and postmasters’ pay before considering closure or consolidation of a post office.”* That is nothing less than certain proof the USPS has no intention to cooperate or reconsider factors that support the continuation of a rural post office.

II. Response to USPS in regard to **Community and Service Issues:**

The USPS challenges the PR’s comments in regard to terrain, climate, driving habits, snow conditions, and medications.

In addition to actually calling several customers in Spring Dale, the Public Representative, of course, *used the very records that USPS encouraged customers to complete.* There would be no need to quote sources when the sources are those made available by the USPS. It is remarkable that the USPS chastises the PR for not “*citing*” descriptions from within the record. This is nothing more than a diversion to distract the Commission in its search for facts, especially when page 5 of the PR’s comments does indeed list the evidence ignored by USPS here.

The USPS contends the PR *“has not pointed to any record evidence or other indication that reliance upon rural carrier service would disenfranchise current Spring Dale customers on snow days to a greater degree than is currently the case.”*

And again, the PR has pointed the USPS to reasons that snow days are worse for customers here if a carrier route is implemented. She makes reference to the AR which contains overwhelming evidence in support of the PR’s statements.

In reply to the allegation that the PR considered demographic data in the administrative record with *“bald, unelaborated suspicion that the data are certain*

to be unreliable”, the PR got her information, in part, from this petitioner. I am a registered surveyor and have decades of experience in gathering this type of data.

Summary by this Petitioner:

The exhaustive Administrative Record now before the PRC is replete with proof the USPS has been (and remains) disrespectful, close-minded, and negligent regarding the Spring Dale closure procedure.

The USPS makes a mockery of law and procedures and has ignored warnings by the PRC in that regard.

On February 13, 2012, 109 Representatives signed a letter to Postmaster General, Patrick Donahoe citing various valid reasons to not use RAOI as a basis to discriminate against 3600 post offices. The inaccurate representations of usage and revenue and erroneous low workload are two of the issues cited within that letter

Mr. Donahoe has said, “*In some of these areas... there is no option to have a Village post office because there are no stores or other facilities. ***In some of those places, the post office may remain open, but with shorter hours to save money.***”*

There are no stores or other facilities in Spring Dale, and there is no Internet service.

In closing, we have repeatedly defended our unique rural post office in a manner that solidly warrants its existence. The records submitted by the USPS clearly reveal a pattern of procedural errors, omissions, and diversionary misstatements.

We respectfully request this matter be remanded to insure proper and ethical revaluation as deserved by the customers and surrounding communities.

Respectfully,

Paul McClung, Petitioner
P.O. Box 75
Spring Dale, WV 25986